

The Honorable Richard A. Jones

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

AMAZON.COM, INC., a Delaware corporation; and VERA BRADLEY DESIGNS, INC. an Indiana corporation,

Plaintiffs,

V.

LINDA KURTH, an individual; and JOHN DOES 1-10.

Defendants.

No. 2:18-cv-00353-RAJ

PLAINTIFFS' SUBMISSION OF
PROPOSED-INJUNCTION & ORDER

Plaintiffs Amazon.com, Inc. (“Amazon”) and Vera Bradley Designs, Inc. (“Vera Bradley”) respectfully submit the attached proposed injunction and order for entry by the Court consistent with the Court’s July 31, 2019 Order Granting Plaintiffs’ Motion for Default Judgment. Dkt. #19. In support of this submission, Plaintiffs state as follows:

1. On July 31, 2019, the Court granted Plaintiffs' Motion for Default Judgment. Dkt. # 19. In that Order, the Court found that Vera Bradley was entitled to injunctive relief, and granted Plaintiffs' request for an injunction in part, striking paragraph (a) of the proposed injunction as overbroad. *Id.* at 11, 13. The Court further advised that Vera Bradley had the responsibility to serve the injunction in such a manner as to make it operative in contempt proceedings. *Id.* at 13.

2. Although the Court granted Vera Bradley's request for an injunction, did not separately sign and enter the proposed injunction as modified. Plaintiffs, therefore, respectfully

1 submit the attached proposed injunction and order, modified to reflect the terms of the Court's
2 Order granting their motion for default judgment, for entry by the Court.

3 DATED this 15th day of August, 2019.

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(No. 2:18-cv-00353-RAJ) - 2

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[PROPOSED] PERMANENT
INJUNCTION

CLERK'S ACTION REQUIRED

THIS MATTER comes before the Court on Plaintiffs Amazon.com, Inc. (“Amazon”) and Vera Bradley Designs, Inc. (“Vera Bradley”)’s Motion for Default Judgment. Dkt. # 12. Pursuant to the Court’s July 31, 2019 Order granting that motion, Dkt. # 19, and for the reasons set forth therein, the Court ORDERS as follows:

1. Defendant Linda Kurth and her agents, representatives, servants, employees, successors and assigns, and all others in active concert or participation with them, are hereby PERMANENTLY ENJOINED AND RESTRAINED from:

a) manufacturing, distributing, advertising, offering to sell, or selling any product using Vera Bradley’s brand or trademark, or which otherwise infringes Vera Bradley’s intellectual property; and

b) assisting, aiding or abetting any other person or business entity in engaged or performing any of the activities listed above.

2. The Court hereby retains jurisdiction over this case for the purpose of enforcing this injunction and order, and for any supplemental proceedings that may be authorized by law.

3. Plaintiffs' counsel is hereby directed to serve a copy of this order on Defendant Linda Kurth via overnight delivery, certified mail, and email using her last-known contact information.

IT IS SO ORDERED.

DATED this 16th day of August, 2019.

Richard D. Jones

The Honorable Richard A. Jones
United States District Judge